

REMARKS

Claims 1-15, 17 and 18 are pending in this application. By this Amendment, claims 1, 2, 8 and 11-13 are amended for clarity. Claim 18 is added. No new matter is added. Reconsideration of the application based on the above amendments and the following remarks is respectfully requested.

Entry of the amendments is proper under 37 CFR §1.116 because the amendments: (a) place the application in condition for allowance for the reasons discussed below; (b) satisfy a requirement of form asserted in the previous Office Action. The amendments are necessary and were not earlier presented because they are made in response to rejections under 35 U.S.C. §112, second paragraph, and arguments raised in the Final Rejection. Entry of the amendments is thus respectfully requested.

The Office Action rejects claims 1-15 and 17 under 35 U.S.C. §112, second paragraph, as allegedly being indefinite. Claim 1 is amended to obviate this rejection.

Accordingly, reconsideration and withdrawal of the rejection of claims 1-15 and 17 under 35 U.S.C. §112, second paragraph, are respectfully requested.

The Office Action rejects claims 1, 3-5, 8, 10-12, 14 and 17 under 35 U.S.C. §102(b) as being anticipated by JP-A-61-8544 to Hatayama et al. (hereinafter "Hatayama"). This rejection is respectfully traversed.

Claim 1 recites, among other features, a linear projecting portion that extends straight along an entire axial length of the tube in an axial direction, the projecting portion extending radially beyond the outermost radial dimension of an outer most surface of the substrate layer and an outer most surface of a laminated outer layer formed on the outer most surface of the substrate layer, and a portion of the laminated tube not covered by the projecting portion, that extends straight along an entire axial length of the tube in an axial direction.

Hatayama teaches at, *e.g.*, Figs. 1-4, relief pattern band 22. No part of relief pattern band 22 extends beyond outermost surfaces of surface layer resins 11b and 11c, and base layer resin 11a. Further, base layer resin 11a is covered entirely by surface layer resins 11b and 11c. Therefore, Hatayama cannot reasonably be considered to teach the above features recited in claim 1.

For at least the foregoing reasons, Hatayama cannot reasonably be considered to teach the combination of all of the features positively recited in claim 1. Further, Hatayama cannot reasonably be considered to teach, the combinations of all of the features recited in claims 3-5, 8, 10-12, 14 and 17 for at least the dependence of these claims on allowable base claims, as well as for the separately patentable subject matter that each of these claims recites.

Accordingly, reconsideration and withdrawal of the rejection of claims 1, 3-5, 8, 10-12, 14 and 17 under 35 U.S.C. §102(b) as being anticipated by Hatayama are respectfully requested.

The Office Action rejects claims 6, 7 and 13 under 35 U.S.C. §103(a) as being unpatentable over Hatayama; rejects claim 2 under 35 U.S.C. §103(a) as being unpatentable over Hatayama in view of U.S. Patent No. 3,940,001 to Haefner; rejects claim 9 under 35 U.S.C. §103(a) as being unpatentable over Hatayama in view of U.S. Patent No. 4,196,825 to Kincaid; rejects claim 9 under 35 U.S.C. §103(a) as being unpatentable over Hatayama in view of U.S. Patent No. 4,943,780 to Redding; and rejects claim 15 under 35 U.S.C. §103(a) as being unpatentable over Hatayama in view of U.S. Patent Application Publication No. 2001/0030192 to Redmond. These rejections are respectfully traversed.

As argued above, Hatayama cannot reasonably be considered to have suggested the combination of all of the features recited in claim 1. Therefore, Hatayama cannot reasonably be considered to have suggested the combinations of all of the features recited in claims 2, 6,

7, 9, 13 and 15 for at least the dependence of these claims on allowable base claims, as well as for the separately patentable subject matter that each of these claims recites.

Accordingly, reconsideration and withdrawal of the rejection of claims 6, 7 and 13 under 35 U.S.C. 103(a) as being unpatentable over Hatayama, the rejection of claim 2 under 35 U.S.C. 103(a) as being unpatentable over Hatayama in view of Haefner, the rejection of claim 9 under 35 U.S.C. 103(a) as being unpatentable over Hatayama in view of Kincaid, the rejection of claim 9 under 35 U.S.C. §103(a) as being unpatentable over Hatayama in view of Redding and the rejection of claim 15 under 35 U.S.C. §103(a) as being unpatentable over Hatayama in view of Redmond are respectfully requested.

Added claim 18 is allowable at least for dependence on an allowable base claim, as well as for the separately patentable subject matter that this claim recites.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-15, 17 and 18 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

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